

1 IN THE UNITED STATES DISTRICT COURT

2 MIDDLE DISTRICT OF NORTH CAROLINA

3 UNITED STATES OF AMERICA,)
4 vs.) Case No. 1:13CR47-1
5 STANLEY SCOTT PORTER,) Greensboro, North Carolina
6 Defendant.) September 4, 2014
7) 2:19 p.m.

8 TRANSCRIPT OF STATUS CONFERENCE
9 BEFORE THE HONORABLE WILLIAM L. OSTEEN, JR.
10 UNITED STATES DISTRICT JUDGE

11 APPEARANCES:

12 For the Government: FRANK JOSEPH CHUT, AUSA
13 Office of the U.S. Attorney
14 101 S. Edgeworth Street, 4th Floor
15 Greensboro, North Carolina 27401

16 For the Defendant: DAVID B. FREEDMAN, Esq.
17 Crumpler Freedman Parker & Witt
18 301 N. Main Street, Suite 1100
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22 Court Reporter: Joseph B. Armstrong, RMR, FCRR
23 324 W. Market, Room 101
24 Greensboro, NC 27401

25 Proceedings reported by stenotype reporter.
Transcript produced by Computer-Aided Transcription.

P R O C E E D I N G S

(At 2:19 p.m., proceedings commenced.)

(Defendant present.)

MR. CHUT: Good afternoon, Your Honor.

THE COURT: Good afternoon, Mr. Chut.

MR. CHUT: Next is United States of America versus Stanley Scott Porter, 1:13CR047-1. Mr. Porter is represented by Mr. Freedman, Wyatt and Blake, and this is on for status conference, Your Honor.

THE COURT: Good afternoon, Mr. Freedman.

MR. FREEDMAN: Good afternoon, Your Honor.

THE COURT: I spent some time this morning refreshing my recollection as to Mr. Porter's case and where things stood, and I think I can venture a reasonably educated guess that at this point in time Mr. Porter's cooperation has continued, and there are some ongoing cases here in the Middle District that arise out of that cooperation, and I think -- one of the defendants in that ILMC case has been -- was arraigned on a -- one may have pled, and one's been arraigned on a superseding indictment, and those cases -- so at the earliest will be reached during the month of October. Mr. Chut, is that --

MR. CHUT: That's correct, Your Honor.

THE COURT: -- relatively correct?

MR. CHUT: It is correct, Your Honor, and Mr. Porter's cooperation is associated with those cases, and it

1 is ongoing.

2 THE COURT: All right. And so I'm kind of assuming
3 that pushing out a reporting date just a little bit would be of
4 some help to the United States?

5 MR. CHUT: It would, Your Honor. The United States
6 would think that would be helpful, Your Honor.

7 THE COURT: All right. Mr. Freedman, I assume you
8 all probably don't object to that at this point.

9 MR. FREEDMAN: We do not, Your Honor. We join in
10 that request. We met as recently again today, and you're
11 correct, one of the defendants has pled as has ILMC.

12 THE COURT: That's right, the company pled.

13 MR. FREEDMAN: The company pled, I believe, before
14 Your Honor.

15 THE COURT: Is that the only -- then Mr. Eury is the
16 only defendant left in that case?

17 MR. CHUT: Yes, Your Honor, at this time; that's
18 correct, Your Honor.

19 THE COURT: All right. And we don't know what he may
20 do. I want Mr. Porter to be in a position to get the full
21 benefit of any cooperation if he becomes eligible for
22 additional consideration, but at the same time at some point in
23 time this thing has got to be finalized. If I push his
24 reporting date out to November 15, does that reasonably give
25 the Government an opportunity to wrap up the Eury case, at

1 least in terms of the guilt/innocence phase?

2 MR. CHUT: Yes, Your Honor.

3 THE COURT: Is that acceptable to you, Mr. Freedman?

4 MR. FREEDMAN: Yes, Your Honor. The only thing is
5 leaving us with the opportunity for if the case is not reached
6 in November to make a motion to do that as well.

7 THE COURT: Yeah, I'm not going to foreclose it, but
8 I've delayed the reporting -- this will -- September 17, I
9 think, was a year, and I'm assuming there's probably been a
10 designation made at this point in time.

11 MR. FREEDMAN: Yes, Your Honor, there was a
12 designation made.

13 THE COURT: I don't want to cause too much trouble to
14 everyone and make it too complicated procedurally, but I think
15 I'll push it out to November --

16 MR. FREEDMAN: Your Honor, if you could push at least
17 until the end of the month, because if the case is not reached
18 next month, I'm assuming it would be reached some time during
19 the course of November.

20 THE COURT: Yeah, I'm going to push it out to
21 November 19, and then -- I'm going to have a reporting date of
22 November 19, but I'm going to -- I'm going to just -- what I
23 would really like to do is not -- I mean, I don't know where
24 we'll end up in terms of the final sentence in the case and how
25 everything is ultimately going to unfold, but it needs to be

1 addressed. So I'm just going to set -- I'm going to continue
2 the reporting date to November 19 at 12:00 noon, and I'm going
3 to set another status conference for November 12 such that if
4 any additional motions have not been filed -- well, I can hear
5 you on the motions, or I can address the reporting date at that
6 time if need be, either way.

7 MR. FREEDMAN: I think that would be good, Your
8 Honor.

9 THE COURT: All right. So I'll -- let's see.
10 Ms. Cable may be gone. Mr. Jolly, if you'll just make a
11 note -- or, Kelly, make a note on the docket that a written
12 order will be forthcoming continuing the reporting date to
13 November 19. Go ahead and show on the docket that we'll have a
14 status conference on November 12.

15 THE CLERK: Okay, 9:30?

16 THE COURT: Well, let's see. Let's make it 12:30,
17 lunchtime. Does that seem to be a reasonable way to deal with
18 the uncertainties in this particular case at this point?

19 MR. CHUT: Yes, Your Honor.

20 MR. FREEDMAN: Yes, Your Honor.

21 THE COURT: All right. Then I'll continue the
22 reporting date, and we'll see where we are on the 12th.

23 MR. FREEDMAN: Thank you.

24 MR. CHUT: Thank you, Your Honor.

25 THE COURT: Thank you.


1 (At 2:26 p.m., proceedings concluded.)

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3 C E R T I F I C A T E

4 I certify that the foregoing is a correct transcript
5 from the proceedings in the above-entitled matter.

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7 Date: 09/08/2014


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